

**SENATE, No. 3678**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED APRIL 26, 2021

**Sponsored by:**

**Senator ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**SYNOPSIS**

Requires installation of Type IV flotation devices at certain lakes, ponds, and rivers.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning personal flotation devices and supplementing  
2 P.L.1991, c.135 (C.26:4A-4 et seq.), P.L.1983, c.324 (C.13:1L-1  
3 et seq.), and Title 40 of the Revised Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. a. The owner of a campground, common interest community,  
9 hotel, mobile home park, private lake, river or bay or private  
10 community lake, river or bay association, private marina, or  
11 retirement community, which includes a lake, pond, or river at  
12 which swimming, boating, or ice-skating is permitted by the  
13 property owner shall install a Type IV personal flotation device  
14 approved for use by the United States Coast Guard at the lake,  
15 pond, or river, as appropriate. The flotation device shall be  
16 permanently installed near the water and shall be equipped with a  
17 sign that clearly indicates the presence of the flotation device.

18 b. Nothing in this section shall be deemed to impose any  
19 liability upon or to give rise to a cause of action against a property  
20 owner.

21  
22 2. The department shall install a Type IV personal flotation  
23 device approved for use by the United States Coast Guard at each  
24 lake, pond, or river located in a State park or forest at which  
25 swimming, boating, or ice-skating is permitted. The flotation  
26 device shall be permanently installed near the water and shall be  
27 equipped with a sign that clearly indicates the presence of the  
28 flotation device.

29 b. Nothing in this section shall be deemed to impose any  
30 liability upon or to give rise to a cause of action against the  
31 department or any other State agency.

32  
33 3. a. A county or municipality shall install a Type IV personal  
34 flotation device approved for use by the United States Coast Guard  
35 at each lake, pond, or river located in a park owned by the county or  
36 municipality at which swimming, boating, or ice-skating is  
37 permitted. The flotation device shall be permanently installed near  
38 the water and shall be equipped with a sign that clearly indicates the  
39 presence of the flotation device.

40 b. Nothing in this section shall be deemed to impose any  
41 liability upon or to give rise to a cause of action against a  
42 municipality or county.

43 c. (1) A county may use funds from a "County Open Space,  
44 Recreation, Floodplain Protection, and Farmland and Historic  
45 Preservation Trust Fund" created pursuant to subsection c. of  
46 section 2 of P.L.1997, c.24 (C.40:12-15.2) in order to implement  
47 the provisions of this section.

1       (2) A municipality may use funds from a "Municipal Open  
2 Space, Recreation, Floodplain Protection, and Farmland and  
3 Historic Preservation Trust Fund" created pursuant to subsection c.  
4 of section 7 of P.L.1997, c.24 (C.40:12-15.7) in order to implement  
5 the provisions of this section.

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7       4. This act shall take effect immediately.  
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#### 10                               STATEMENT

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12       This bill would require certain property owners to install Type  
13 IV personal flotation devices at each lake, pond, or river at which  
14 swimming, boating, or ice-skating is permitted. A Type IV  
15 personal flotation device is a buoyant object—such as a cushion or  
16 ring—that is meant to be thrown to a conscious person in the water.

17       Specifically, the bill would apply to campgrounds, common  
18 interest communities, hotels, mobile home parks, private lake, river,  
19 or bay associations, private community lake, river, or bay  
20 associations, private marinas, and retirement communities, as those  
21 terms are defined in section 1 of P.L.1991, c.135 (C.26:4A-4).

22       The bill would also require the Department of Environmental  
23 Protection, and counties and municipalities, to install a Type IV  
24 personal flotation device at each lake, pond, or river located in a  
25 public park or State forest at which swimming, boating, or ice-  
26 skating is permitted. The bill would allow counties and  
27 municipalities to draw on funds in their respective "Open Space,  
28 Recreation, Floodplain Protection, and Farmland and Historic  
29 Preservation Trust Funds" in order to pay for the flotation devices  
30 and installation costs.